



NOVEMBER 14 - 18, 2005 ST. LOUIS, MISSOURI

James B. Loken, Chief Judge - Minneapolis, Minnesota

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
Morris S. Arnold - Little Rock, AR
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
William Jay Riley - Omaha, NE
Michael J. Melloy - Cedar Rapids, IA
Lavenski R. Smith - Little Rock, AR
Steven M. Colloton - Des Moines, IA
Raymond W. Gruender - St. Louis, MO
Duane Benton - Kansas City, MO**

Circuit Judges Who Have Taken Senior Status

**Donald P. Lay - St. Paul, MN
Gerald W. Heaney - Duluth, MN
Myron H. Bright - Fargo, ND
Theodore McMillian - St. Louis, MO
John R. Gibson - Kansas City, MO
George G. Fagg - Des Moines, IA
Pasco M. Bowman - Kansas City, MO
Frank J. Magill - Fargo, ND
C. Arlen Beam - Lincoln, NE
David R. Hansen - Cedar Rapids, IA**

NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10th Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on Floor 28. Division II will be held in the Southeast Courtroom on Floor 27. Division III will be held in the Northeast Courtroom on Floor 27. Counsel presenting oral argument should report to the clerk's office, Room 24.329, 30 minutes before Court convenes.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Appearance forms of counsel, if not previously submitted, must be completed and forwarded immediately to the clerk's office. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. ***Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.***

Michael E. Gans
Clerk of Court

www.ca8.uscourts.gov

Revised: 11/16/05

DIVISION I
28th Floor
En Banc Courtroom

MONDAY, NOVEMBER 14, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES ARNOLD, BEAM, RILEY

			DMS
1.	05-1444SI	Mary Wilson v. City of Des Moines	20
2.	05-2165NE	United States v. Tylan Lucas	20
3.	05-2374WA	Douglas K. Skokos, et al. v. Bruce Rhoades, etc., et al.	15
4.	05-1810SI	Barbara Rodgers v. City of Des Moines, et al.	15
5.	05-1211NE	Mosheh Malik Louis, etc., et al. v. Department of Correctional Services, of Nebraska, et al.	15
	04-4076WA	United States v. Ronald Lee Webb	NO ARG
	05-1085EA	United States v. Earl Anthony Boyd	NO ARG
	05-1406WA	United States v. Gary Dwayne Dunning	NO ARG

TUESDAY, NOVEMBER 15, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES ARNOLD, BEAM, RILEY

			DMH
1.	04-3780MN	United States v. Ralph Joseph Thunder, Jr.	20
	04-3767WM	United States v. Gregory D. Goodall	NO ARG
2.	05-2283NI	United States v. Joseph Nelson Spencer, Jr.	15
3.	05-2308WM	United States v. Clinton B. Allen	15
4.	05-2503SI	United States v. Johnny Lee Ollie, Jr.	15
	05-2180EM	United States v. Ronnie Delvon Adams	NO ARG
5.	05-1985EM	Missouri Department of Social Services v. Tommy Thompson, etc.	20

DIVISION I
28th Floor
En Banc Courtroom

WEDNESDAY, NOVEMBER 16, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES ARNOLD, BEAM, RILEY

			YML
1.	05-1491SI	Lucas A. Canny v. Dr. Pepper/ Seven-Up Bottling Group, Inc.	20
	05-1547NE	Steven E. Clason v. Ann Veneman, etc.	NO ARG
2.	04-3670NE	Jeffrey Younkin v. BCD Farms, Inc., et al.	15
3.	05-1106	In re: Seena Y. Phillips, Debtor Ross H. Briggs v. John V. LaBarge, Jr.	10
	04-3625NE	United States v. Scott E. Goodman	
	04-3628NE	United States v. Leslie D. Fisher	
	04-3738NE	United States v. Leslie D. Fisher	NO ARG

**** AFTERNOON SESSION ****

BEGINNING AT 2:00 P.M.
BEFORE JUDGES ARNOLD, MURPHY, GRUENDER

04-3827EM	William L. Rousan v. Donald P. Roper, etc.	30
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DIVISION I
28th Floor
En Banc Courtroom

THURSDAY, NOVEMBER 17, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES ARNOLD, BEAM, RILEY

TAB

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|----|-----------|---|---------------|
| 1. | 04-3049EA | Nolan Richardson, Jr. v. B. Alan Sugg, etc., et al. | |
| | 04-3187EA | Nolan Richardson, Jr. v. B. Alan Sugg, etc., et al. | 20 |
| 2. | 05-1403WA | Kenneth R. Henderson v. Les Munn, etc. | 10 |
| 3. | 04-2524WM | James Edward Phillips v. Jasper County Jail, et al. | 15 |
| 4. | 04-4083WM | United States v. Susan Wintermute | |
| | 05-2433WM | United States v. Clarence Stevens | 20 |
| | 02-3484WM | United States v. Curtis Barfield | NO ARG |

FRIDAY, NOVEMBER 18, 2005, BEGINNING AT 8:30 A.M.
BEFORE JUDGES ARNOLD, BEAM, RILEY

KAS

- | | | | |
|----|-----------|--|---------------|
| 1. | 04-3577WA | Jerala Grayson, etc. v. John McAlister, etc., et al. | 15 |
| 2. | 04-3911 | Igor Alexeyevich Suvorov v. John Ashcroft, etc. | 15 |
| 3. | 05-1741EA | United States v. Jack Foster | 15 |
| 4. | 05-1893SD | Gerald P. Pecoraro v. Diocese of Rapid City, etc. | 15 |
| | 05-1957WM | Sondra L. Samuels, Dr. v. Kansas City Missouri School District | NO ARG |

DIVISION II
27th Floor
Southeast Courtroom

MONDAY, NOVEMBER 14, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, MCMILLIAN, GRUENDER

JPP

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|----|------------------------|---|---------------|
| 1. | 04-3419EA | Gordon E. Miller, Jr. v. Baker
Implement Company, etc., et al. | 20 |
| 2. | 04-3871SD
04-3937SD | United States v. Mark High Elk
United States v. Richard LaPlante | 20 |
| | 05-1651EM | Jack Randall, et al. v. May Department
Stores Company | NO ARG |
| 3. | 05-2995SD | United States v. Jason Long
Soldier, Sr. | 15 |
| 4. | 05-1690EA | United States v. Jimmy Albern
Boyster | 15 |
| | 05-1143SD | United States v. Jonathan Wayne
Larrabee | NO ARG |
| | 05-1239NI | United States v. Miguel Rodriguez-
Sanchez, etc. | NO ARG |
| | 05-1387WM | United States v. Earlen L. Brown, Jr. | NO ARG |

TUESDAY, NOVEMBER 15, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, MCMILLIAN, GRUENDER

JMH

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|----|-----------|--|---------------|
| 1. | 05-1779WM | United States v. Milo I. Worthing, Jr. | 15 |
| 2. | 05-1822EA | United States v. Michael Meyer | 15 |
| | 05-2076WM | United States v. Halena E. Griggs | NO ARG |
| 3. | 05-2324NI | United States v. Thomas Mickelson | 10 |
| 4. | 04-3560NI | United States v. Patrick James
McMannus | |
| | 04-3561NI | United States v. Sheri Brinton | 15 |
| 5. | 05-2248NI | United States v. Troyce Allen Lewis | 15 |

DIVISION II
27th Floor
Southeast Courtroom

WEDNESDAY, NOVEMBER 16, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, BOWMAN, GRUENDER

ABC/BWB-T

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|----|-----------|---|----------------|
| 1. | 04-3679EA | Charles T. Wilson, et al. v. Airtherm Co., Inc. | |
| | 04-3880EA | Charles T. Wilson, et al. v. Airtherm Co., Inc. | 20 |
| 2. | 05-1677WM | William E. Stricker, et al. v. David A. Johnson, et al. | 15 |
| | 04-3626 | In re: Accessair, Inc., Debtor
Anita L. Shodeen v. Airline Software, Inc. | REMOVED |
| 3. | 05-2172EM | William Dieser v. Continental Casualty Company, etc., et al. | 15 |
| 4. | 05-1589EM | In re: Union Financial Services Group, et al., Debtor
Robert W. Curtis, et al. v. Union Financial Services Group, Inc., et al. | 20 |
| | 04-4069NE | United States v. Mike R. Gutierrez | |
| | 05-1068NE | United States v. Mike R. Gutierrez | NO ARG |

DIVISION II
27th Floor
Southeast Courtroom

THURSDAY, NOVEMBER 17, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, BOWMAN, GRUENDER

DGH

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|----|-----------|---|---------------|
| 1. | 04-3828WM | United States v. William R. Boone, II | |
| | 04-3829WM | United States v. Kelvin Washington | |
| | 04-3831WM | United States v. Jerome Creighton | |
| | 04-3836WM | United States v. Barbara L. Turner | 30 |
| 2. | 04-3520EA | Thomas Bradley, etc., et al. v. Arkansas
Department of Education, et al. | 20 |
| 3. | 05-1173EM | Dennis F. Smith, et al. v. Tenet
Healthsystem SL, Inc., etc., et al. | 20 |
| | 04-2041 | Haregwoin Abrha v. John
Ashcroft, etc. | |
| | | | NO ARG |
| 4. | 05-1748WM | Jill Cottrill, et al. v. MFA,
Incorporated, etc. | 15 |

FRIDAY, NOVEMBER 18, 2005, BEGINNING AT 8:30 A.M.
BEFORE JUDGES MURPHY, BOWMAN, GRUENDER

CMD

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|----|-----------|--|---------------|
| | 04-3932SD | Allen G. Gibson, et al. v. Doug
Weber, et al. | |
| | | | NO ARG |
| 1. | 05-1888SD | Richard St. Cloud, Sr. v. Doug
Weber, et al. | 15 |
| | 04-3387 | Abdul Dahir Ibrahim, etc. v. John
Ashcroft, etc. | |
| | 05-1204 | Abdul Dahir Ibrahim, etc. v. John
Ashcroft, etc. | |
| | | | NO ARG |
| 2. | 04-3583 | Mohammed Shawkat Haider v.
John Ashcroft, etc. | 10 |
| 3. | 04-3883 | Edgar Jose Rodriguez-Cuate v.
John Ashcroft, etc. | 10 |

DIVISION III
27th Floor
Northeast Courtroom

MONDAY, NOVEMBER 14, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, HEANEY, BENTON

			LLB
	05-1115EA	Pediatric Specialty Care, Inc., et al. v. Arkansas Foundation for Medical Care	
	05-1116EA	Pediatric Specialty Care, Inc., et al. v. Arkansas Department of Human Services, et al.	REMOVED
	05-1668EA	Pediatric Specialty Care, Inc., et al. v. Arkansas Department of Human Services, et al.	REMOVED
1.	05-1315WM	Andrew Swope v. Jo Anne B. Barnhart, etc.	15
2.	05-1299WA	IESI AR Corporation v. Northwest Arkansas Regional Solid Waste Management, et al.	20
	05-1053EM	Tomas Tostado v. Ken Carlson, etc., et al.	NO ARG
3.	05-1862WM	Sha'va Porter, etc., et al. v. Julie Coffman, et al.	15
	04-3696ND	United States v. Arnaldo Losoya Mancias	NO ARG
	05-1226NI	United States v. Thomas Caswell	NO ARG
	05-1499NI	United States v. Jacqueline J. Ahlers, etc.	NO ARG

DIVISION III
27th Floor
Northeast Courtroom

TUESDAY, NOVEMBER 15, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, HEANEY, BENTON

			MER
1.	04-4110EM	United States v. Larry L. Henderson	15
2.	05-1357EM	Watson Coatings, Inc. v. American Express Travel Related Services, Inc.	15
	04-3962WM	United States v. Thomas S. Millot	NO ARG
3.	05-1622WM	State Farm Mutual Automobile Insurance Company v. Kenneth Freeman	10
	05-1010WA	United States v. Jorge Castaneda	NO ARG
4.	05-1484EM	United States v. Qusai Mahasin	10

WEDNESDAY, NOVEMBER 16, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, HEANEY, BENTON

			LMT
1.	04-3807EA	Desi A. Ledbetter v. Alltel Corporate Services, Inc.	
	04-3990EA	Desi A. Ledbetter v. Alltel Corporate Services, Inc.	15
2.	05-1584MN	M. P., etc. v. Independent School District No. 721, etc.	15
3.	05-1598EM	United States, et al. v. Mallinckrodt, Inc.	15
4.	05-1882EM	Samuel Stallings v. Hussman Corporation, et al.	15
5.	04-3325WM	United States v. Lonnie Weston	
	05-1291WM	United States v. Sherry Woodard	20
6.	05-1995EM	United States v. Kendrix D. Feemster	10

DIVISION III
27th Floor
Northeast Courtroom

THURSDAY, NOVEMBER 17, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, HEANEY, BENTON

LAD

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|----|-----------|--|----|
| 1. | 05-1565EA | Sandra J. Chronister v. Baptist Health, et al. | |
| | 05-1566EA | Sandra J. Chronister v. UNUM Life Insurance Company of America | 20 |
| 2. | 05-1823NE | United States v. Rashad McKay, etc. | |
| | 05-2032NE | United States v. Sterling McKoy | 20 |
| 3. | 04-4123EA | Raymond Battle v. United Parcel Service, Inc. | |
| | 04-4128EA | Raymond Battle v. United Parcel Service, Inc. | 15 |
| 4. | 05-1663WM | Robert Slentz v. City of Republic, Missouri, et al. | 15 |
| 5. | 05-1885EA | Harry Stone v. Metropolitan Life Insurance Company | 10 |

FRIDAY, NOVEMBER 18, 2005, BEGINNING AT 8:30 A.M.
BEFORE JUDGES SMITH, HEANEY, BENTON

PAW

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|----|-----------|--|----|
| 1. | 05-1588WM | State Farm Fire & Casualty Company v. National Research Center for College and University Admissions, et al. | 15 |
| 2. | 05-1800WM | City of St. Joseph, Missouri v. Southwestern Bell Telephone , etc. | 15 |
| 3. | 04-3373 | Angel Abad Solano-Chicas v. John Ashcroft, etc. | |
| | 04-3755 | Angel Abad Solano-Chicas v. John Ashcroft, etc. | 15 |